

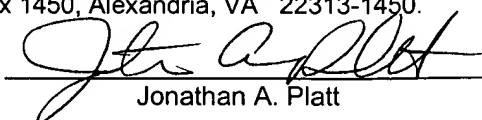


2855

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents enclosed herewith are being deposited on the date indicated below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: December 4, 2003


Jonathan A. Platt

Attorney Docket No. KICHP0102USA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Applicants: Kicher et al.

Serial No.: 09/603,935

Filed: June 27, 2000

Title: FLUID MEASURING DEVICE AND METHOD

Examiner: Charlene Dickens

Art Unit: 2855

RECEIVED
DEC 11 2003
TECHNOLOGY CENTER 2800

REPLY TO ELECTION REQUIREMENT OF NOVEMBER 4, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the election of species requirement of November 4, 2003, Applicants provisionally elect the species shown in Figs. 15 and 16. It is believed that at least claims 1, 2, 4-6, 11, 12, 19-23, 25, 30-38, 43-45, 47-50, 52, and 53 read on the elected species. The election requirement is traversed in part for at least the reasons given below.

Figs. 15 and 16 show one configuration of a sensing tube for use in a pressure transducer. Figs. 15 and 16 show only the sensing tube, but it is clear from the application that the sensing tube is intended to be used with a housing surrounding the

sensing tube. For example, the specification describes the sensing tube 216 as having end portions that couple to suitable housing flanges, which are discussed in regard to the housing of the embodiment shown in Figs. 1-14. Page 16, lines 18-21. Figs. 20 and 21 are examples of housings that are suitable for receiving the sensing tube 216 shown in Figs. 15 and 16, and in fact the housings shown in Figs. 1-14, 19, and 26 are also suitable for receiving the sensing tube of Figs. 15 and 16. Claims 13-18 read on the various disclosed housing embodiments, and should be examined as part of the elected species.

It is noted that Fig. 17 is not included in the list of species. Fig. 17 is a possible configuration of the sensing tube 216 that differs from the configuration shown in Fig. 16 in that it has a non-constant radius of curvature. Page 18, lines 7-16. It is believed that the variant shown in Fig. 17 is rightly included with the elected species. Claim 24 reads on the configuration shown in Fig. 17.

Figs. 18 and 19 show alternative ways of providing structural isolation between a sensing tube, such as the sensing tube of Figs. 15 and 16, and a housing for receiving the sensing tube. Such structural isolation methods are usable with the sensing tube of Figs. 15 and 16, and should be included with the elected species, as it is believed that there would be no undo hardship involved in examining these claims along with the claims of the elected species. Claims 26-29 and 51 read on the ways of providing structural isolation shown in Figs. 18 and 19.

With all of the above claims included in the elected species, claims 1, 2, 4-6, 11-38, 43-45, 47-52, and 53 would read on the elected species.

Conclusion

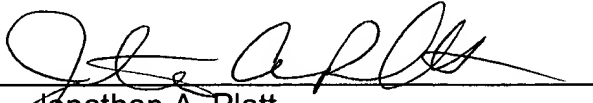
Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

In the event that an extension of time is necessary, this should be considered a petition for such an extension. No fee is believed due with the filing of this paper. In the event any fees are due in connection with the filing of this paper, the Commissioner

is authorized to charge those fees to our Deposit Account No. 18-0988 (Charge No. KICHP0102USA).

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

By 
Jonathan A. Platt
Reg. No. 41,255

1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113
(216) 621-6165 (fax)
A:\P0102USA.R02.wpd